
de maximis, inc.

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May 15, 2012

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn
ATTN: Lower Passaic River Remediał Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

Re: Monthly Progress Report No. 60 – April 2012 Lower Passaic River Study Area (LPRSA) Remedial Investigation/ Feasibility Study (RI/FS) CERCLA Docket No. 02-2007-2009

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

 On April 6, EPA and CPG representatives held a phone call to discuss draft Quality Assurance Project Plan (QAPP) components for the High Volume Chemical Water Column Monitoring (HV CWCM) program and a schedule for submittal of this draft QAPP to EPA.

Correspondence

- On April 2, CPG submitted risk estimates for direct exposure scenarios for River Mile (RM) 10.9 sediments to EPA.
- On April 6, EPA contractors contacted CPG indicating that the final PAH data for the RM 10.9 Characterization had not been included in the preliminary data

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submitted to EPA on February 22, 2012. CPG posted the missing PAH data to the EPA SharePoint site on April 9.

- On April 10, CPG submitted a revised draft Statement of Work (SOW) for the RM 10.9 response action and pilot program to EPA.
- On April 11, CPG informed EPA that the conditions in the Lower Passaic River may be favorable for a low flow and spring-tide Small Volume (SV) Chemical Water Column Monitoring (CWCM) event the week of May 7, 2012, but that it would be a deviation from the schedule in the SV CWCM QAPP.
- On April 13, CPG submitted the revised Risk Assessment and Risk Characterization (RARC) Plan and appendices (including Background/Reference Site, Ecological Life History Profiles, and Data Usability documents) to EPA.
- On April 16, CPG submitted the Monthly Progress Report to EPA.
- On April 17, CPG submitted an extension request to EPA for finalizing a Settlement Agreement and SOW for a RM 10.9 response action and pilot program to May 30, 2012.
- On April 19, EPA approved the CPG extension request for execution of a Settlement Agreement and SOW for RM 10.9 response and pilot programs until May 30, 2012 subject to initiation of early planning tasks.
- On April 19, CPG submitted the RM 10.9 Characterization Report to the EPA via posting to the EPA SharePoint site.
- On April 24, EPA submitted a list of database questions to CPG and requested a follow-up conference call to discuss and resolve.
- On April 24, CPG notified EPA of a request to utilize the approved backup laboratory for analysis for grain size, specific gravity and moisture content for a single sampling location from the Low Resolution Coring (LRC) Supplemental Sampling Program (SSP) due to health and safety concerns associated with observed mercury vapor readings.
- On April 24, CPG notified EPA of a planned field demonstration of High Volume sampling equipment on May 9 – 10 proposed for the CWCM program and invited them to observe.
- On April 25, CPG received revisions to the draft RM 10.9 Settlement Agreement and SOW from EPA.
- On April 26, EPA provided CPG with a copy of the New Jersey Department of Health and Senior Services public health assessment of the Lyndhurst Little League Fields.
- On April 30, CPG submitted five worksheets from the HV CWCM QAPP to EPA.
- On April 30, EPA notified CPG that negotiations regarding the RM 10.9 Settlement Agreement and SOW have to be completed by May 11 and recommended meeting as soon as possible.

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Work

- CPG completed drafting the RM 10.9 Characterization Data report.
- CPG continued evaluation of RM 10.9 characterization data and revisions to the draft RM 10.9 SOW for response action and pilot program.
- CPG continued discussions with beneficial sediment reuse technology vendors.
- CPG completed chemical analysis of the samples collected during the SV CWCM Routine Flow Event #2 field activities.
- CPG continued validation of the SV CWCM Routine Flow Event #2 data.
- CPG initiated chemical analysis of the samples collected during the SV CWCM Routine Flow Event #3 field activities.
- CPG conducted planning and preparation for a SV CWCM High Flow Event anticipated during the spring months.
- CPG continued developing the HV CWCM QAPP Addendum.
- CPG continued discussions with HV equipment vendor and associated labs for applicability in the LPR CWCM field program.
- CPG conducted spiking studies associated with proposed HV CWCM sampling equipment and support lab.
- CPG completed planning for a field demonstration of HV CWCM sampling equipment at the CPG Field Facility in early May.
- CPG continued chemical analysis of the samples collected during the LRC SSP field activities.
- · CPG continued validation of the LRC SSP data.
- CPG continued work on the 2011 Post-Hurricane Irene Bathymetry Survey report.
- CPG continued development of the addendum to the RM 10.9 Characterization QAPP for collection of RM 10.9 sediment samples: to be provided to beneficial sediment reuse technology vendors for bench-scale testing; and additional delineation of the RM 10.9 study area
- CPG completed revisions to the RARC Plan and appendices.
- CPG continued drafting the winter/spring 2011 Avian Survey Report.
- CPG Modeling Team continued work on decoupling the Hydrodynamic and HQI ECOM-SEDZLJS Sediment Transport Model codes to shorten run times and long-term sediment transport calibration runs.
- CPG Modeling Team continued work on the RCATOX Chemical Fate and Transport Model Code initial conditions and long-term calibration runs.
- CPG Modeling Team supported design activities for the CWCM High Flow Event.
- CPG Modeling Team worked on system understanding for hydrodynamic and sediment transport processes in Newark Bay.

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 CPG continued review of sediment characteristics and potential target remedy locations in support of initial Feasibility Study (FS) evaluations.

(b) Results of Sampling and Tests

- On April 9, CPG posted supplemental data for the RM 10.9 Characterization for the Monthly Progress Report No. 57 via USEPA Region 2 EDD to the EPA SharePoint site.
- On April 16, CPG posted the previously omitted or revised RM 10.9 Characterization and CWCM Routine Flow Event #1 data and original laboratory EDDs received during March to the EPA SharePoint site.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will complete chemical analyses of the LRC SSP samples.
- CPG will continue validation of the LRC SSP data.
- CPG will continue validation of the SV CWCM Routine Flow Event #2 data.
- CPG will continue chemical analysis of the SV CWCM Routine Flow Event #3 samples.
- CPG will initiate validation of the SV CWCM Routine Flow Event #3 data.
- CPG will conduct a HV CWCM technology demonstration on the LPR the week of May 7.
- CPG will conduct a SV CWCM High Flow Event if River conditions meet QAPP criteria.
- CPG will conduct SV CWCM Routine Flow Event #4 the week of June 4, conditions permitting.
- CPG will complete development of the addendum to the RM 10.9 Characterization QAPP for collection of RM 10.9 sediment samples to be provided to beneficial sediment reuse technology vendors.
- CPG will complete development of a QAPP for bench-scale testing of RM 10.9 sediment samples by beneficial sediment reuse technology vendors.
- CPG will collect RM 10.9 composite sediment samples and provide to beneficial sediment reuse technology vendors for bench scale testing.
- CPG will continue discussions with vendors regarding beneficial sediment reuse large-scale pilot demonstrations and sediment processing/dewatering.
- CPG will collect additional RM 10.9 sediment delineation samples requested by EPA.

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- CPG will complete drafting the Post-Hurricane Irene Bathymetric Survey of the LPR report.
- CPG will complete drafting the 2010 Small Foraging Fish Tissue Chemistry Data Report.
- CPG will complete drafting the 2011 Avian Survey Report.
- CPG will conduct a field demonstration of proposed HV sampling equipment for use in the CWCM program.
- CPG will complete drafting the HV CWCM QAPP Addendum.
- CPG will conduct a HV CWCM sampling event pending EPA approval of the HV CWCM QAPP.
- CPG Modeling Team will continue calibration runs with the HQI ECOM-SEDZLJS and RCATOX codes and inputs.
- CPG Modeling Team will continue support with the CWCM High Flow program planning and development.
- CPG will participate in LPR/Newark Bay Modeling Program progress calls and follow-up modeling collaboration meetings with EPA and EPA consultants.
- CPG will continue initial FS evaluation of targeted remedy locations and development of cost estimating tools.

(d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>

- Based upon discussions with EPA, the CPG understands that the calibration of the HQI sediment transport model was completed by the EPA Modeling Team during the fourth quarter of CY 2010 and that changes were and continue to be made to the HQI SEDZLJS code and inputs used by EPA in its calibration. It is also the CPG's understanding that EPA is continuing work to improve their calibration. As such, the CPG is continuing to work on both its high flow calibration and its long-term daily calibration. EPA and CPG collaboration meetings were conducted in January and March 2012; these and previous meetings are providing an opportunity for both modeling teams to understand difference between each team's approaches. Delays associated with both the sediment transport modeling and chemical fate transport modeling schedules are extending the completion of the LPRSA RI/FS.
- The CPG understands that the EPA approved Tierra's CSO/SWO Workplan in May 2011. It is also the CPG's understanding that the Method Detection Studies proposed by Tierra and other work such as construction of the proposed mobile

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centrifuge/CSO sampling trailer must be completed prior to the start of the Phase 1 work which is now forecast for July 2012. The extent of the RI/FS schedule impacts is dependent on the completion of these items and Phase 1 sampling activities.

• EPA provided comments on July 11, 2011 which disapproved the revised risk assessment planning documents and required submission of revised documents within 30 days. Additionally, EPA provided a technical memo on July 25, 2011 on fish and crab consumption rates for the LPRSA Human Health Risk Assessment. The CPG filed a notice of dispute resolution in accordance with Section XV of the AOC on July 25, 2011 in response to EPA's July 11, 2011 directive letter and July 25, 2011 technical memorandum. The revised RARC and TRV deliverables were submitted on August 9, 2011. On September 6, 2011 the CPG submitted a position paper in response to EPA's July 11, 2011 comments and July 25, 2011 technical memorandum. Dispute resolution meetings were held on December 1, 2011 and January 13, 2012. EPA provided the results of the dispute resolution to the 'CPG on February 7, 2012 and the CPG has begun to implement the changes specified in the July 2011 directive comments and the results of the dispute resolution. which was submitted on April 13, 2012

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inq

Willard F. Potter

Project Coordinator

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